

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILE

NOV 10 2004

Phil Lombardi, Clerk
U.S. DISTRICT COURT

DAVID WAYNE STARKEY,
an individual,

Plaintiff,

v.

DAVID STRUCKMAN, et al.,

Defendants

Case No. 03-CV-951K(J)

ORDER

On October 26, 2004 Magistrate Judge Joyner filed his Report and Recommendation (Dkt. No. 67). Therein, the Magistrate Judge recommended Plaintiff be awarded actual damages in the amount of \$ 150, 905 and punitive damages in the \$4,500,000. No objection has been filed to the Report and Recommendation and the time permitting for doing so has passed. *See* FED. R. CIV. P. 72(b). The Court upon independent review sees no reason to depart from the recommendation.

It is the Order of the Court that the Report and Recommendation (Dkt. No. 67) is affirmed and adopted as the Order of the Court. It is therefore the Order of the Court that judgment be entered in favor of Plaintiff as set forth above.

ORDERED this 10 day of November, 2004.



TERENCE KERN
UNITED STATES DISTRICT JUDGE